

DRAFT

MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

20 JUNE 2000

The City Council of the City of Greensboro met in regular session at 5:30 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Claudette Burroughs-White, Yvonne J. Johnson, Earl F. Jones, Robert V. Perkins, Thomas M. Phillips, Donald R. Vaughan and Nancy Vaughan. Absent: Sandra G. Carmany, excused by action of the Council. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Juanita F. Cooper, City Clerk.

The meeting was opened with a moment of silence. Jack Austin, a veteran of the United States Armed Forces led the Pledge of Allegiance to the Flag.

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The Manager recognized Keith Murphy, employee at the Greensboro War Memorial Coliseum Complex, who served as courier for the meeting.

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The Mayor explained the Council procedure for conduct of the meeting.

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Councilmember Vaughan moved that Councilmember Carmany be excused from attendance at this meeting. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of Council.

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Mayor Holliday stated that this was the time and place set for a public hearing to reconsider Ordinance amending Chapter 30 of the Greensboro Code of Ordinances to add new visual corridor overlay zones; he stated that this ordinance was adopted on 4-18-00, and a motion to reconsider was adopted on 5-2-00. He thereupon introduced so that these matters could be discussed together an ordinance amending Chapter 30 of the Greensboro Code of Ordinances to add as a Visual Corridor Overlay Zone East Market Street from the Central Business Overlay Zone described in Section 30-5-5.6(H) to the City Limits, and an ordinance amending Chapter 30 of the Greensboro Code of Ordinances to add Outdoor Advertising Signs (Billboards) as a prohibited sign under Section 30-5-5.2 and to delete Section 30-5-5.6 from the Development Ordinance.

After brief remarks by Mayor Holliday regarding the timeframe for presentations to be offered to Council, Councilmember Jones moved that each side of the billboard issue be allowed 30 minutes for their presentation. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of the Council.

Henry Isaacson, attorney with offices at 101 West Friendly Avenue and representing Fairway Outdoor Advertising of the Triad, spoke in favor of billboards; he thereupon requested Council to rescind action taken on April 18 which prohibited billboards. Mr. Isaacson provided slides to illustrate areas of the City in which billboards were prohibited, noted that billboards were permitted in only three of Greensboro's zoning classifications, detailed past Council action taken which had in some manner regulated billboards in Greensboro, provided statistical information related to the billboard market and spoke to actions taken by other governing bodies related to

billboards. Mr. Isaacson stated that, in his opinion, scenic corridors were particularly unfair and discriminatory to the outdoor advertising industry.

At Mr. Isaacson's request a large number of citizens stood to show opposition for a ban on billboards.

Norman Samet, residing at 1501 Briarcliff Road and Chairperson of the Greensboro Area Chamber of Commerce; Bill Black, residing at 1508 Lafayette Court and Chairperson of the Greensboro Merchants Association; and Lou Bouvier, Bouvier-Kelly Advertising at 338 North Elm Street; spoke in favor of rescinding the ordinance adopted in April. They expressed concern with regard to the restrictions and the negative impact this ordinance would have on small businesses, spoke the importance to local businesses of outdoor advertising (billboards) to attract customers, stated they believed the Unified Development Ordinance provided adequate sign regulations, stated billboards were important to promote city and non-profit efforts, and offered thoughts about undesirable uses in scenic corridors.

Edwin Apple, residing at 3826 Burlington Road in Guilford County, reviewed action taken by the Guilford County Board of Commissioners to deny scenic corridor designation of Highway 70 east of Greensboro. He spoke to a petition purportedly signed by approximately 600 citizens in opposition to the regulations; stated that he believed City and County zoning laws could appropriately control advertising; and added that he believed billboards were needed to make the public aware of various businesses.

Bill Craft, residing at 1000 Dover Road, stated he believed outdoor advertising was an effective, affordable means of advertising. He spoke to other unsightly uses on highways, requested Council to repeal the ordinance adopted in April, and urged Council to address issues of higher priority.

Derwin Greene, residing at 8207 Quail Creek Drive, Colfax, NC, urged Council to protect the jobs of individuals who work in this industry and not place further restrictions on billboards.

Kellie James, 5457 NC 49 South, Burlington, NC, and representing Biscuitville, Inc., detailed the company's successful use of billboards to promote consumer awareness of their business locations.

The Mayor advised that Marlene Sanford and Jim Fogleman had indicated their support of the use of billboards.

The following citizens spoke in opposition to billboards in Greensboro:

Louis Hazard, residing at 1710 Walker Avenue, spoke in favor of additional visual scenic corridors, stated that prohibiting billboards would begin to solve the overall problem with unsightly uses on highways and also begin address environmental issues; he offered his thoughts about private property issues.

Nancy Morton, residing at 2417 Wright Avenue, stated that in her opinion billboards were obtrusive on visual corridors and had a negative impact on the entire community. She stated she believed visual litter should be eliminated, spoke to the adoption of more stringent billboard regulations in other municipalities, and stated many citizens were concerned about billboards but were unable to attend the meeting.

William Shand, residing at 1115-C West McGee Street, urged Council to consider a ban on billboards. He stated he believed billboards were damaging public interest, spoke to stricter regulations implemented in other North Carolina municipalities, and offered comments about the financial status of billboard companies.

Gail Fettish, residing at 3642 Southeast School Road, stated she believed billboards were a dying industry because of the increased use of the Internet and added that she believed a ban on billboards would result in a much more beautiful community.

Max Ballinger, residing on Ballinger Road, offered his thoughts about the rights of property owners.

Council discussed at length various concerns and opinions with respect to the ordinances proposed for adoption; i.e., the possible negative impact on area businesses, the potential for harm to and discrimination against one specific industry, and the desire to prevent the proliferation of billboards in Greensboro. Discussion was also held with regard to the use of billboards by community initiatives to promote important issues, impressions of Greensboro offered by various billboard advertising, whether the total prohibition of billboards was necessary and the makeup of neighborhoods predominantly used for the location of billboards.

Council also discussed with Mr. Isaacson statistics related to billboard industry activity in Greensboro, the impact of these regulations on existing billboards, and zoning districts in which billboards are currently permitted. Council discussed with William F. Ruska, Jr., Zoning Administrator for the Planning Department, criteria for designation as a scenic corridor, the status of non-conforming signs, impact adoption of the ordinance would have on billboards in Greensboro, and regulations for other types of signs and structures.

After lengthy discussion, Councilmember Phillips moved adoption of the ordinance amending Chapter 30 of the Greensboro Code of Ordinances to add new visual corridor overlay zones. The motion was seconded by Councilmember N. Vaughan; the ordinance was **DEFEATED** on the following roll call vote: Ayes: Perkins, Phillips and N. Vaughan. Noes: Burroughs-White, Holliday, Johnson, Jones and D. Vaughan.

(A copy of the ordinance as introduced and **DEFEATED** is filed in Exhibit Drawer N, Exhibit Number 11, which is hereby referred to and made a part of these minutes.)

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Councilmember Johnson moved adoption of the ordinance amending Chapter 30 of the Greensboro Code of Ordinances to add as a Visual Corridor Overlay zone East Market Street from the Central Business Overlay Zone described in Section 30-5-5.6(H) to the City Limits. The motion was seconded by Councilmember N. Vaughan; the ordinance was **DEFEATED** on the following roll call vote: Ayes: Johnson, Perkins, Phillips and N. Vaughan. Noes: Burroughs-White, Holliday, Jones, and D. Vaughan.

(A copy of the ordinance as introduced and **DEFEATED** is filed in Exhibit Drawer N, Exhibit Number 11, which is hereby referred to and made a part of these minutes.)

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Councilmember Phillips moved adoption of the ordinance amending Chapter 30 of the Greensboro Code of Ordinances to add Outdoor Advertising Signs (Billboards) as a prohibited sign under Section 30-5-5.2 and to delete Section 30-5-5.6 from the Development Ordinance. The motion was seconded by Councilmember Perkins; the ordinance was **DEFEATED** on the following roll call vote: Ayes: Phillips and N. Vaughan. Noes: Burroughs-White, Holliday, Johnson, Jones, Perkins and D. Vaughan.

(A copy of the ordinance as introduced and **DEFEATED** is filed in Exhibit Drawer N, Exhibit Number 11, which is hereby referred to and made a part of these minutes.)

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Stating she wished to be proactive in efforts to protect the aesthetics of certain corridors and prevent the placement of billboards on roadways which currently had no properties zoned to permit this use, Councilmember N. Vaughan moved adoption of an ordinance amending Chapter 30 of the Greensboro Code of Ordinances with respect to Zoning, Planning and Development, a portion of which added as new visual corridor overlay zones North Elm Street, New Garden Road and East Lee Street from O.Henry Boulevard to the City Limits; the motion was seconded by Councilmember Phillips.

After Council briefly discussed opinions and concerns about the desire to be proactive in these areas, the rights of property owners along these roadways, the fact that no properties were currently zoned to allow billboards, etc., the following vote was recorded: Ayes: Holliday, Perkins, Phillips, Vaughan and Vaughan. Noes: Burroughs-

White, Johnson, and Jones. The City Attorney advised that because this ordinance received only five affirmative votes on the first reading, the ordinance would be placed on the July 18 City Council Agenda for Second Reading.

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The Mayor declared a recess at 7:49 p.m.

The meeting re-convened at 8:06 p.m. with all members present, except Councilmember Carmany who had been excused by action of Council earlier in the meeting.

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance amending Chapter 30 of the Greensboro Code of Ordinances to create a Conditional Use-Planned Unit Development--Infill District. Mayor Holliday administered the oath to those individuals who wished to speak to this matter.

Stating that this was an effort to provide flexibility for infill development, Mr. Ruska briefly reviewed and explained various parts of the ordinance.

The Mayor asked if anyone wished to be heard.

There being no one present desiring to speak to this matter, Councilmember Jones moved adoption of the ordinance. The motion was seconded by Councilmember Perkins; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-113 AMENDING CHAPTER 30

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

Section 1. That Subsection 30-4-1.2(C), Conditional Use – Planned Unit Development Districts Established, is hereby amended by adding a new subsection (3) to read as follows:

- “(3) CU-PDI Conditional Use - Planned Unit Development - Infill District. The CU-PDI, Conditional Use - Planned Unit Development - Infill District is intended to accommodate residential, commercial, office, and neighborhood business uses developed on small tracts of land as infill development within currently built up areas in accordance with a Unified Development Plan.”

Section 2. That Section 30-4-3.2, Minimum Size and Uses Allowed, is hereby amended by adding a new subsection (C) to read as follows:

“(C) Conditional Use - Planned Unit Development - Infill (CU-PDI):

- 1) Minimum Size: No CU-PDI District shall be approved for a site of less than one-half (0.5) acre or greater than twenty-five (25) contiguous acres under unified ownership or control.
- 2) Location: A CU-PDI District shall only be approved if it is surrounded by properties that are improved or had previously been improved (with buildings or structures). The district cannot be established where the subject property or adjacent property has been in agricultural production within the past five years.
- 3) Uses Allowed: A CU-PDI District allows all the uses permitted in residential, office, and commercial districts.”

Section 3. That Section 30-4-3.3, Development Standards, is hereby amended by rewriting the section through subsection (E) to read as follows (new wording underlined):

“30-4-3.3 Development Standards

Those development standards in Articles IV, V, and VI pertaining to density, size, location, and arrangement of buildings and structures; lot dimensions; and landscaping are waived in CU-PDR, CU-PDM, and CU-PDI Districts. The development standards below in this Section, those in the approved Unified Development Plan, and any in the approved Conditional Use Permit shall apply.

- (A) Dimensional Standards: The dimensional standards of this Ordinance are waived in CU-PDR, CU-PDM, and CU-PDI Districts except that:
- 1) In CU-PDR and CU-PDM Districts, within fifty (50) feet of any RS district the height regulations of that RS district shall apply.
 - 2) No lots for single family detached dwellings shall be less than five thousand (5000) square feet in area.
- (B) Access:
- 1) Areas between structures shall be covered by easements where necessary for access and to provide for maintenance and utility service.
 - 2) Primary vehicular access to office, commercial, or industrial development shall not be through intervening residential development.
- (C) Commercial Areas:
- 1) Commercial areas and adjacent residential, office, and industrial areas in all CU-PD Districts shall be arranged to promote pedestrian access between and within such areas.
 - 2) Commercial uses in a CU-PDR District shall be located on and shall face an internal street of the development.
 - 3) Ten percent (10%) of the total land area in a CU-PDR District may be occupied by or used for commercial purposes, provided that at no time shall the cumulative amount of land developed for commercial purposes exceed the cumulative amount of land developed for residential purposes.
 - 4) Commercial areas are permitted in a CU-PDR District if they are designed and located to serve primarily the residents of the planned unit development.
- (D) Local Street Design: Local streets shall be located and designed so that they do not encourage through access by traffic with origins and destinations outside of the development
- (E) ~~Boundary Treatment:~~ Context: The height, building coverage, setbacks, and land uses along the perimeter of all CU-PD Districts shall be in harmony with development on adjacent lands. Such boundary treatment is not required where the perimeter of a CU-PDR, CU-PDM, or CU-PDI District is along the right-of-way of a railroad or street that is already constructed or is being constructed as part of the planned unit development. At other locations, development in a CU-PDR or CU-PDM District shall either provide a Type A planting yard or comply with 1) or 2) of the following, and development in a CU-PDI District shall comply with 3) and 4) of the following:

- 1) The scale and setbacks of buildings and structures in a CU-PDR and CU-PDM District within one hundred and fifty (150) feet of the perimeter of the planned unit development shall be in harmony with development on adjacent lands.
- 2) No commercial or industrial use in a CU-PDR or CU-PDM District shall be permitted within one hundred and fifty (150) feet of the perimeter of the development unless the adjoining zoning district permits the same or a similar use adjacent to the perimeter.
- 3) Where a CU-PDI District is established on property which shares a block face with property already improved (with buildings and structures), development within the CU-PDI shall not exceed the maximum or minimum height, lot coverage, or setbacks set by those improvements.
- 4) No nonresidential use in a CU-PDI District shall be permitted within seventy-five (75) feet of the perimeter of a planned unit development, unless the adjoining zoning district permits the same or similar uses adjacent to the perimeter."

Section 4. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

(Signed) Earl Jones

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for water main improvements and sanitary sewer improvements on Pinewood Drive from Ballinger Road to the north end of Pinewood Drive (1200 Block). Mayor Holliday asked if anyone wished to be heard.

The City Attorney advised a number of issues had come to her attention that should be addressed prior to Council action on this matter; she requested that Council continue this matter to allow time for review. Councilmember Vaughan moved that the resolution be continued to the 18 July 2000 meeting of Council without further advertising. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of Council.

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for sanitary sewer improvements on Buckhorn Road from King George Drive to Wakefield Drive. Mayor Holliday asked if anyone wished to be heard.

There being no one present desiring to speak to this matter, Councilmember Jones moved adoption of the resolution. The motion was seconded by Councilmember D. Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan.

B-321 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

BUCKHORN ROAD FROM KING GEORGE DRIVE TO WAKEFIELD DRIVE

WHEREAS, on the 16th day of July, 1996, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Sanitary Sewer Improvements. That a sanitary sewer main of 8-inch size be laid on the street or streets hereinabove named within the limits defined and that necessary laterals (including water lateral where none exist and water main has been installed) be laid for the proper connection of abutting property.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

BUCKHORN ROAD

King George Drive to Wakefield Drive

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 5:30 p.m., on the 20th day of June, 2000, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Earl Jones

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Mayor Holliday stated that this was the time and place set for a public resolution confirming assessment roll for water main improvements on Wakefield Drive from King George Drive to Buckhorn Drive. The Mayor asked if anyone wished to be heard.

There being no one present desiring to speak to this matter, Councilmember Jones moved adoption of the resolution. The motion was seconded by Councilmember D. Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan.

W-224 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

WAKEFIELD DRIVE FROM KING GEORGE DRIVE TO BUCKHORN DRIVE

WHEREAS, on the 2nd day of September, 1997, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Water Main Improvements. That a water main be laid on the street or streets hereinabove named with the limits defined, and that necessary laterals (including sewer laterals where none exist and sewer main has been installed) be laid for the proper connection of abutting property.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

WAKEFIELD DRIVE

King George Drive to Buckhorn Drive
8" Water Line

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 5:30 p.m., on the 20th day of June, 2000, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Earl Jones

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for roadway improvements on Church Street from Eva Lane to a distance of approximately 100' north of Eva Lane (west side only). Mayor Holliday asked if anyone wished to be heard.

There being no one present desiring to speak to this matter, Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember D. Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan.

C-253 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

CHURCH STREET FROM EVA LANE TO A DISTANCE OF APPROXIMATELY 100' NORTH OF EVA LANE (WEST SIDE ONLY)

WHEREAS, on the 17th day of March, 1998, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Roadway Improvements. That the street or streets hereinabove named within the limits defined be widened on one side with stone base asphaltic concrete surface, the widening to include grading, construction of storm sewers and necessary laterals, laying of concrete curbs and gutters, and all other work incidental to the improvements.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

CHURCH STREET

Widening - West Side Only From Lake Jeanette Road to Eva Lane

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 5:30 p.m., on the 20th day of June, 2000, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Yvonne J. Johnson

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Moving to the Consent Agenda, Mayor Holliday introduced the following ordinance as required by the Greensboro Code of Ordinances:

- Ordinance amending Chapter 8 of the Greensboro Code of Ordinances with respect to cemeteries.

After the Mayor requested a motion to approve the ordinance, resolutions and motion listed on the Consent Agenda, Councilmember Jones moved its adoption. The motion was seconded by Councilmember D. Vaughan; the Consent Agenda was adopted on the following roll call vote: Burroughs-White, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-114 ORDINANCE AMENDING CHAPTER 8

AN ORDINANCE AMENDING CHAPTER 8 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO CEMETERIES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1: That Section 8-4 of the Greensboro Code of Ordinances is hereby amended to read as follows:

(a) The fee for digging an adult grave in any of the city cemeteries when funeral services are scheduled between the hours of 11:00 a.m. and 3:30 p.m. on Monday through Friday is hereby fixed at seven hundred twenty-five dollars (\$725.00) per grave; the fee for digging a child's grave up to four (4) feet is hereby fixed at four hundred twenty-five dollars (\$425.00) per grave. The fee for digging a grave for interring urns of ashes on Monday through Friday is hereby fixed at three hundred twenty-five dollars (\$325.00).

Section 2: That this ordinance shall become effective on and after July 1, 2000.

Section 3: That all ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Earl Jones

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116-00 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2000-08 WITH AM-LINER EAST, INC. FOR SANITARY SEWER REHABILITATION PROJECT "E" PROJECT

WHEREAS, after due notice, bids have been received for the sanitary sewer rehabilitation project "E" project;

WHEREAS, Am-Liner East, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$420,337.00 as general contractor for Contract No. 2000-08, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Am-Liner East, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 501-7062-01.6017 008.

(Signed) Earl Jones

(A tabulation of bids for the sanitary sewer rehabilitation project "E" project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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117-00 RESOLUTION CALLING A PUBLIC HEARING FOR JULY 18, 2000 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT THE NORTHEAST CORNER OF WEST WENDOVER AVENUE AND SAPP ROAD – 2.60 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 20th day of June, 2000, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT THE NORTHEAST CORNER OF WEST WENDOVER AVENUE AND SAPP ROAD -- 2.60 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro corporate limits, said point being in the south right-of-way line of Sapp Road; THENCE DEPARTING FROM THE EXISTING CITY LIMITS in a westerly direction along said south right-of-way line approximately 195 feet to the northeast corner of Lot 1 of the Wendover, LLC property as recorded in Plat Book 132, Page 128 in the Office of the Register of Deeds of Guilford County; thence S 03° 29' 20" W 136.24 feet along the east line of said Lot 1 to the southeast corner of said lot, said corner being in the north right-of-way line of West Wendover Avenue; thence S 63° 35' 18" W 55.93 feet along said right-of-way line to a new iron pipe; thence continuing along said right-of-way line S 63° 28' 40" W 111.40 feet to an existing iron rod; thence continuing along said right-of-way line S 63° 32' 58" W 88.14 feet to an existing iron rod; thence continuing along said right-of-way line S 76° 48' 11" W 175.61 feet to the southwest corner of said lot; also being the southeast corner of the Marcia S. Regan property described in Deed Book 4473, Page 1768 in the Office of the Register of Deeds; thence N 03° 32' 07" E 50.85 feet along the west line of said Lot 1 to an existing iron pipe, the northeast corner of said Regan property; thence N 06° 10' 52" E 171.81 feet along the west line of said Lot 1 to a right-of-way disk; thence N 24° 39' 54" E 36.53 feet along the west line of said lot to the northwest corner of said lot; thence N 04° 01' 37" W approximately 60 feet to a point in the north right-of-way line of Sapp Road, said point being in the existing Greensboro city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in an easterly direction along said north right-of-way line approximately 570 feet to a point; thence in a southerly direction, crossing Sapp Road, approximately 60 feet to the point and place of BEGINNING, and containing approximately 2.60 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after September 30, 2000, the liability for municipal taxes for the 2000-2001 fiscal year shall be prorated on the basis of 9/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2001-2002 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after September 30, 2000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That July, 18, 2000 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than July 8, 2000.

(Signed) Earl Jones

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118-00 RESOLUTION AUTHORIZING CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN PORTION OF THE PROPERTY OF KAY PICKARD BOYD (aka KAY FRANCES BOYD), unmarried; THOMAS WILSON BOYD, unmarried; TONIA BOYD JORDAN and husband, TERRY WAYNE JORDAN (marital interest only), FRANCES LAVERN BOYD, unmarried; JERRY JEROME BOYD, unmarried; TERRY CHRISTOPHER BOYD and wife, TANYA JENELLE BOYD (marital interest only); and TIMOTHY WAYNE BOYD, unmarried; IN CONNECTION WITH THE GALLIMORE DAIRY ROAD LIFT STATION AND FORCE MAIN

WHEREAS, Kay Pickard Boyd (aka Kay Frances Boyd), unmarried; Thomas Wilson Boyd; unmarried; Tonia Boyd Jordan and husband, Terry Wayne Jordan (marital interest only); Frances Lavern Boyd, unmarried; Jerry Jerome Boyd, unmarried; Terry Christopher Boyd and wife Tanya Jenelle Boyd (marital interest only); and Timothy Wayne Boyd, unmarried, are the owners of certain property located on Kellom Street, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Gallimore Dairy Road Lift Station and Force Main Project;

WHEREAS, negotiations with the owners at the appraised value of \$2,000.00 have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owners in the amount of \$2,000.00;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$2,000.00 to the Clerk of Superior Court as compensation to the owners, payment to be made from Account No. 508-7044-01.6019 CBR 001.

(Signed) Earl Jones

.....

119-00 RESOLUTION AUTHORIZING CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN PORTION OF THE PROPERTY OF PIERCE ROIF CORPORATION, IN CONNECTION WITH THE SOUTH BUFFALO OUTFALL PROJECT

WHEREAS, Pierce Roif Corporation is the owner of certain property located on Big Tree Way, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the South Buffalo Outfall Project;

WHEREAS, negotiations with the owners at the appraised value of \$14,231.25 have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owners in the amount of \$14,231.25;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$14,231.25 to the Clerk of Superior Court as compensation to the owners, payment to be made from Account No. 503-7062-01.6012 CBR 001.

(Signed) Earl Jones

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120-00 RESOLUTION AUTHORIZING ENCROACHMENT AGREEMENT WITH NORFOLK SOUTHERN RAILWAY COMPANY FOR THE BLEDSOE DRIVE FORCE MAIN PROJECT

WHEREAS, the City is currently undergoing work on the Bledsoe Drive Force Main project which calls for a 24 inch sanitary sewer main in a 36 inch encasement to be installed under the Norfolk Southern Railway track at Milepost K-3 plus 4,171.2 feet;

WHEREAS, Norfolk Southern Railway has agreed to enter into an Agreement granting the City the right to proceed with the work under said track;

WHEREAS, it is estimated that the cost to the City of Greensboro will be \$23,250.00 to install said sanitary sewer main under the Norfolk Southern Railway track;

WHEREAS, it is deemed in the best interest of the City to enter into an Encroachment Agreement with Norfolk Southern Railway Company to install the sanitary sewer main needed for the Bledsoe Drive Force Main project in accordance with the terms and conditions therein and such Agreement is presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That an Encroachment Agreement with Norfolk Southern Railway Company is hereby approved pursuant to the authority of N.C.G.S. §160A-274 and the City Manager is hereby authorized to execute said Agreement on behalf of the City.

(Signed) Earl Jones

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121-00 RESOLUTION AUTHORIZING THE EXECUTION OF THE AGREEMENT OF RIDESHARING SERVICES AND VANPOOLING OF THE PIEDMONT AMONG THE CITIES OF GREENSBORO, HIGH POINT, WINSTON-SALEM AND THE PIEDMONT AUTHORITY FOR REGIONAL TRANSPORTATION

WHEREAS, the North Carolina Department of Transportation administered the National Ridesharing Demonstration Program sponsored by the Federal Transit Administration which created a ridesharing program (RSVP sponsored by the Cities of Greensboro, High Point and Winston-Salem); and

WHEREAS, the City of Winston-Salem was responsible for the administration of the RSVP Program for the Piedmont Triad Region since January 1, 1995; and

WHEREAS, the City of Winston-Salem served as the designated recipient of federal (FTA Section 9 operating) and state funds to support RSVP Program expenditures since January 1, 1995; and

WHEREAS, the administration of the jointly sponsored ridesharing program will change to the Piedmont Authority for Regional Transportation effective July 1, 2000; and

WHEREAS, the Piedmont Authority for Regional Transportation will become the designated recipient of federal, state, local and private funds to support the PART RSVP Program effective July 1, 2000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Manager is authorized to execute the PART RSVP Agreement on behalf of the City of Greensboro with the Piedmont Authority for Regional Transportation.
2. That the City Manager is authorized to furnish such additional information as the PART RSVP Agreement may require in connection with the administration of the Program, as appropriate.

(Signed) Earl Jones

.....

Motion to approve report of budget adjustments covering period May 1-31, 2000 was unanimously adopted. (A copy of the report is filed in Exhibit Drawer N, Exhibit Number 1, which is hereby referred to and made a part of these minutes.)

.....

The Mayor introduced an ordinance amending Chapter 2 of the Greensboro Code of Ordinances with respect to Council meetings; he stated that this was the second reading for the ordinance because it had received only five affirmative votes at the regular meeting of 6 June 2000.

Council briefly discussed personal opinions and concerns with respect to the desired time, specifically 5:30 or 6:00 p.m., to begin future Council meetings.

Councilmember D. Vaughan moved adoption of the ordinance; the motion was seconded by Councilmember Jones. After a recorded vote by Council, Councilmember Johnson stated that she had inadvertently not voted as she had intended; the City Clerk was directed to clear the board. The ordinance to set the time of regular meetings at 5:30 p.m. was thereupon **DEFEATED** on the following roll call vote: Ayes: Burroughs-White, Jones, Perkins and D. Vaughan. Noes: Holliday, Johnson, Phillips and N. Vaughan.

(A copy of the ordinance as introduced and **DEFEATED** is filed in Exhibit Drawer N, Exhibit Number 11, which is hereby referred to and made a part of these minutes.)

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The Mayor introduced an ordinance amending in the amount of \$255,000 the General Fund Budget for increasing transfer to the Bryan Park Golf Enterprise Fund.

After a brief explanation by the City Manager, Councilmember D. Vaughan moved adoption of the ordinance. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan.

00-115 ORDINANCE AMENDING THE GENERAL FUND BUDGET FOR INCREASING TRANSFER TO THE BRYAN PARK GOLF ENTERPRISE FUND

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 99-00 Budget of the City of Greensboro is hereby amended as follows:

Section 1:

That the appropriation to the General Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-9590-01.6531	Transfer to Bryan Park Fund	\$255,000

and, that this increase be financed by increasing the following General Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-0000-00.8900	Appropriated Fund Balance	\$255,000

Section 2:

That the appropriation to the Bryan Park Golf Enterprise Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
531-5053-03.5949	Miscellaneous	\$255,000

and, that this increase be financed by increasing the following Bryan Park Golf Enterprise Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
531-0000-00.9101	Transfer from General Fund	\$255,000

(Signed) Donald R. Vaughan

.....

Mayor Holliday introduced a resolution of intent authorizing the City Manager to enter into an Agreement with Cone Mills Corporation allowing the discharge of its wastewater into the T.Z. Osborne Water Reclamation Facility and providing for the construction by Cone Mills of a sewer lift station and funding and subsequent ownership by the City of a sewer line to the Osborne Facility.

Responding to various inquiries by Councilmember Phillips regarding this agreement, the Manager explained the unique situation involved with this action and stated that the City did not anticipate any discharge from Cone Mills until after the completion of the Osborne Plant expansion. He spoke to the cost to the city for construction of a sewer line, detailed the impact this action would have on the Osborne Plant capacity, and reiterated strict regulations contained in the agreement would ensure that Cone Mills would adhere to very stringent standards.

Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Holliday, Johnson, Jones, Perkins, Vaughan and Vaughan. Noes: Phillips.

122-00 RESOLUTION OF INTENT AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CONE MILLS CORPORATION ALLOWING THE DISCHARGE OF ITS WASTEWATER INTO THE T.Z. OSBORNE WATER RECLAMATION FACILITY AND PROVIDING FOR THE CONSTRUCTION BY CONE MILLS OF A SEWER LIFT STATION AND FUNDING AND SUBSEQUENT OWNERSHIP BY THE CITY OF A SEWER LINE TO THE OSBORNE FACILITY

WHEREAS, due to changes in wastewater discharge requirements by the North Carolina Department of Environment and Natural Resources, Cone Mills has requested that the City of Greensboro accept its pretreated effluent into the T. Z. Osborne Wastewater Treatment Facility consistent with the City's pretreatment program;

WHEREAS, the normal intake for the Cone Mills facility is the North Buffalo facility, but due to the volume and composition of the wastewater it is recommended that this flow be incorporated into the normal intake at the Osborne Facility rather than the smaller North Buffalo facility;

WHEREAS, the acceptance of Cone's wastewater shall be subject to the issuance of a State approved SIU Permit by the City to Cone and successful completion of treatability studies and in compliance with the State and Federal requirements along with Cone paying all fees for wastewater treatment and capacity use based on the size and flow rate of the proposed line;

WHEREAS, Cone shall be required to construct, own and maintain a sewer lift station capable of pumping its pre-treated wastewater to the Osborne facility;

WHEREAS, the City shall fund the engineering and construction of a force main line from the Cone Mills property boundary to the present North Buffalo – Osborne connector and shall own and maintain said force main;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO

1. The City Manager is hereby authorized to negotiate an Agreement with Cone Mills allowing for the discharge of its wastewater into the T.Z. Osborne Water Reclamation Facility.
2. Cone Mills shall successfully complete effluent treatability studies, comply with the SIU Permit and any State and Federal regulations.
3. Cone Mills shall construct, own and maintain a sewer lift station capable of pumping pre-treated wastewater to the Osborne Facility.
4. The City shall fund the construction of the force main line from the boundary of Cone's property to the North Buffalo-Osborne connector, however Cone Mills shall be responsible for any and all overflows which may occur in this line.

(Signed) Yvonne J. Johnson

.....

The Mayor introduced a ordinance amending Chapter 28 of the Greensboro Code of Ordinances with respect to Taxicabs and Buses.

After brief remarks by the Manager, Councilmember Burroughs-White requested that Council reconsider action taken on 6 June 2000 to allow time to receive additional information regarding the total impact unlimited

certificates would have on the taxi industry. She stated she was not comfortable with Council's earlier action, was concerned about the standards for operation of this industry, and wanted additional information from staff before further action by Council.

The City Attorney advised action taken on June 6 by Council regarding the number of certificates was not an ordinance and that Council would have to adopt the ordinance to make an unlimited number of taxi certificates available. She suggested Council consider continuing this proposed ordinance until further information had been received. In response to Council inquiry, the City Attorney advised no additional permits could be granted until the existing ordinance had been amended.

Councilmember Burroughs-White moved that the ordinance be continued to the July 18, 2000 meeting of Council. The motion was seconded by Councilmember Johnson; the motion was adopted on the following roll call vote: Ayes: Burroughs-White, Holliday, Johnson, Jones and N. Vaughan. Noes: Perkins, Phillips and D. Vaughan.

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Mayor Holliday introduced a resolution authorizing the use of Council Contingency Funds to provide funding in the amount of \$102,236 for the development of two athletic fields at Page High School and Cone Elementary School.

Rusty Lee, #4 Cannonball Court, Athletic Director of Page High School, spoke to the need for athletic fields; stated this cooperative effort would benefit the schools, community and City; and requested Council to approve the resolution.

Speaking to the total anticipated cost of the project, the Manager detailed the amount that would be paid by the City and the Guilford County School System. He stated that because the City would incur approximately \$1 million cost for unanticipated storm debris removal, he did not anticipate execution of this agreement and beginning the project until the City had determined a better cost estimate and identified a funding source in this year's budget for the cleanup.

Some members of Council discussed with the Manager the use of reserve funds and the need to replenish if used, funds being set aside for the future landfill closure, the opinion that this project should not be held in abeyance because of costs incurred with debris cleanup, and the dollar value for the City's in-kind contributions for this project.

After further discussion, Councilmember Perkins moved adoption of the resolution. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

123-00 RESOLUTION APPROVING EXPENDITURE OF \$102,236.00 FROM CONTINGENCY FUND TO SPONSOR THE DEVELOPMENT OF TWO ATHLETIC FIELDS AT PAGE HIGH SCHOOL AND CONE ELEMENTARY SCHOOL

WHEREAS, a plan has been created to develop the property located at the southwest corner of N. Church Street and East Cone Boulevard currently owned by the Guilford County School System into two athletic fields;

WHEREAS, the estimated cost for this project is \$167,236.00, of which the Guilford County School System will contribute \$65,000.00, and the City will contribute \$102,236.00, with any additional costs to be divided equally;

WHEREAS, the City and the Guilford County School System have an existing Shared Use Agreement requiring the City to maintain said fields upon their completion, said maintenance to be absorbed by the Parks & Recreation Department;

WHEREAS, under the terms of the above mentioned Agreement, the City will be able to program the use of these fields for practice fields when they are not being utilized by Page High School and/or Cone Elementary School.

WHEREAS, it is deemed in the best interest of the City to support the development of these fields as there is a growing need for athletic fields in the area.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the expenditure of \$102,236.00 from the Contingency Fund to support the development of two athletic fields at Page High School and Cone Elementary School is hereby approved.

(Signed) Robert V. Perkins

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After Mayor Holliday introduced an ordinance amending in the amount of \$39,031 State and Federal Grant Project Fund Budget for the FTA Section 5303 Metropolitan Planning Grant, Councilmember Jones moved its adoption. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan.

00-116 ORDINANCE AMENDING STATE AND FEDERAL GRANT PROJECT FUND BUDGET FOR THE FTA SECTION 5303 METROPOLITAN PLANNING GRANT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State and Federal Grant Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State and Federal Grant Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-4551-01.4000	Salaries & Benefits	\$21,800
220-4551-01.5000	Maintenance & Operations	<u>17,231</u>
	TOTAL:	\$39,031

and, that this increase be financed by increasing the following Grant Project Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-4551-01.7000	Federal Grant	\$31,224
220-4551-01.7110	State Grant	3,903
220-4551-01.8695	In-Kind Services	<u>3,904</u>
	TOTAL:	\$39,031

(Signed) Earl Jones

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The Mayor introduced an ordinance establishing in the amount of \$500,000 budget amendment for FY 1999-2000 Storm Water Management Fund.

After a brief explanation by the City Manager, Councilmember Johnson moved adoption of the ordinance. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan.

00-117 ORDINANCE AMENDING STORM WATER MANAGEMENT FUND BUDGET FOR FY 1999-2000
FOR PERENNIAL STREAM PROJECT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appropriation for the Storm Water Management Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
203-6503-02.5429	Other Contracted Services	\$500,000

and, that this increase be financed by increasing the following Storm Water Management Fund Balance account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
203-0000-00.8900	Appropriated Fund Balance	\$500,000

(Signed) Yvonne J. Johnson

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Mayor Holliday introduced a resolution approving professional services fee in the amount of \$486,590 and authorizing execution of contract with Law Environmental and Engineering for stream identification and mapping for Water Supply Watershed Protection—Phase I project.

Councilmember D. Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan.

124-00 RESOLUTION APPROVING PROFESSIONAL SERVICES FEE AND AUTHORIZING EXECUTION
OF CONTRACT WITH LAW ENVIRONMENTAL AND ENGINEERING CONSULTANTS FOR
STREAM IDENTIFICATION AND MAPPING FOR WATER SUPPLY WATERSHED PROTECTION –
PHASE I PROJECT

WHEREAS, the North Carolina Department of Environment and Natural Resources has requested an updated map of the perennial streams located in the City's jurisdiction of the Greensboro water supply watershed;

WHEREAS, after due notice, bids for professional services have been received for the Stream Identification and Mapping for Water Supply Watershed Protection – Phase I project;

WHEREAS, Law Environmental and Engineering Consultants, has submitted the most comprehensive plan, and after extensive interviewing, was found to be the best qualified to fulfill the professional services required for this project, which professional services, in the opinion of the City Council, are the best services from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid for professional services hereinabove mentioned submitted by Law Environmental and Engineering Consultants is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 203-0000-00-8900.

(Signed) Donald R. Vaughan

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The Mayor introduced a resolution approving bid in the amount of \$232,700 and authorizing execution of Contract No. 00-000517 with Brooks General Contractors for general construction of the Historical Museum Renovation Project.

The Manager provided details about the three contracts for the Historical Museum Renovation Project, spoke to the need for renovation at this old building and spoke to the funding source for the renovation project.

Councilmember D. Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan.

125-00 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 00-000517 WITH BROOKS GENERAL CONTRACTORS FOR GENERAL CONSTRUCTION OF THE HISTORICAL MUSEUM RENOVATION PROJECT

WHEREAS, after due notice, bids have been received for HVAC renovation work improvements for the Historical Museum Renovation project;

WHEREAS, Brooks General Contractors, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$232,700.00 as general contractor for Contract No. 00-000517, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Brooks General Contractors is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 410-5501-02.6013 CBR 002.

(Signed) Donald R. Vaughan

(A copy of the tabulation of bids for the general construction of the Historical Museum Renovation Project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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After the Mayor introduced a resolution approving bid in the amount of \$841,300 and authorizing execution of Contract No. 00-000518 with Logan Heating and Air Conditioning, Inc. for plumbing construction of the Historical Museum Renovation Project, Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan.

126-00 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 00-000518 WITH LOGAN HEATING AND AIR CONDITIONING, INC. FOR PLUMBING CONSTRUCTION OF THE HISTORICAL MUSEUM RENOVATION PROJECT

WHEREAS, after due notice, bids have been received for plumbing construction improvements for the Historical Museum Renovation project;

WHEREAS, Logan Heating and Air Conditioning, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$841,300.00 as general contractor for Contract No. 00-000518, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Logan Heating and Air Conditioning, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 410-5501-02.6013 CBR 002.

(Signed) Claudette Burroughs-White

(A copy of the tabulation of bids for plumbing construction of the Historical Museum Renovation Project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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After Mayor Holliday introduced a resolution approving bid in the amount of \$128,000 and authorizing execution of Contract No. 00-000519 with Electrical Construction, Inc. for electrical construction of the Historical Museum Renovation Project, Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember D. Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan.

127-00 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 00-000519 WITH ELECTRICAL CONSTRUCTION, INC. FOR ELECTRICAL CONSTRUCTION OF THE HISTORICAL MUSEUM RENOVATION PROJECT

WHEREAS, after due notice, bids have been received for electrical construction improvements for the Historical Museum Renovation project;

WHEREAS, Electrical Construction, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$128,000.00 as general contractor for Contract No. 00-000519, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Electrical Construction, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 410-5501-02.6013 CBR 002.

(Signed) Claudette Burroughs-White

(A copy of the tabulation of bids for electrical construction of the Historical Museum Renovation Project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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The following individuals spoke to the operation of taxicabs in Greensboro:

Hussein Badausi, 1641 Glenside Drive, #3; spoke to the high cost for drivers to lease taxi certificates from certificate holders and stated he believed the opportunity to operate a taxicab should be open to everyone.

Abdul Osman, 1603 Coventry Lane, spoke to the need to improve taxi service, cited problems with leasing and not transferring certificates, and stated he believed the City had an adequate number of certificates but that new certificates should go to companies so they could control the operation of taxicabs.

Kenneth Chuku, 1511 Andover Avenue, reiterated the need for additional permits and requested Council not to allow a monopoly in the taxicab industry.

Frances Keck Robinson, 2126 McConnell Road, spoke to the complexity and confusion with respect to the legal, overall operation of the taxicab industry. Speaking in support of an additional 50 certificates if they were issued one per person and recipients were required to join an existing company for accountability, she stated he believed an unlimited number of certificates would add to problems of the industry. Ms. Robinson emphasized the need to maintain qualifications and standards for drivers and the operation of taxis in Greensboro.

Larry Goins, 726 Stoney Hill Circle, spoke to the danger to drivers of taxis, stated certificate holders leased their certificates to drivers to make money, and supported the addition of some certificates.

Tarig Mohamed, 1404 Cushing Street, spoke to his unsuccessful efforts to obtain a certificate to operate a taxicab. He stated that he believed the current policy was unfair and not equitable to individuals who wished to own/operate a taxicab and spoke to the high cost to drivers to lease certificates from owners.

Some members of Council discussed with the City Manager and City Attorney various concerns, opinions and suggestions with respect to the taxi industry operation in Greensboro. After lengthy discussion, the Manager advised the appropriate City staff would provide additional information for Council.

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Erwin Shaw, residing at 2307 Dulaire Road, spoke to damage to his mother's vehicle during the last snowstorm and stated that he believed the evidence had indicated a city employee might be responsible. After discussion with the City Manager regarding the circumstances involved, Mr. Shaw stated that the insurance adjuster had denied the claim against the City. City Manager Kitchen advised a member of City staff would contact Mr. Shaw to investigate this matter.

William Shank inquired about the status of the City's efforts to encourage continued water conservation, spoke to the current and past water usage, and noted he had not heard much about the conservation program.

Advising the Reidsville water line was now operable, the City Manager provided details regarding the purchase and use of the water from that City. He also spoke briefly to the City's efforts to advertise and promote the water conservation program.

Allan Williams, Water Resources Department Director, spoke to Greensboro's aggressive water conservation program and the promotion of that program via various forms of advertising. Mr. Williams spoke to the process in place to monitor annual consumption, advised of the current condition of lakes, and reiterated the importance of water conservation until the Randleman Dam was completed. He also spoke to the City's purchase and use of Reidsville water as well as the ability to buy water from Winston-Salem if necessary.

Council briefly discussed regulations and penalties in place to address the misuse of sprinkler systems in Greensboro.

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Councilmember Johnson expressed concern about flooding during the recent storm on Joyce Street and requested the Manager to provide an update.

The Manager spoke to the recent storm and its impact on various neighborhoods in Greensboro; he provided an update with respect to the severity of flooding in the Joyce Street area and advised City staff had responded to recorded requests for debris cleanup in an appropriate and timely manner. The City Manager detailed the City's efforts to provide emergency assistance to residents and stated that claims that the City was responsible for any damages would be addressed through the insurance process.

Council also discussed with the Manager the City's plans for continued debris pickup.

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Councilmember Johnson left the meeting at 9:45 p.m.

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Councilmember Jones added the name of Lonnie Cunningham to the boards and commissions data bank for consideration of future service on the Transit Authority.

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Councilmember Vaughan added the name of Joyce Lewis to the boards and commissions data bank for consideration of future service.

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Speaking to the continued participation by the City of funding for the Greensboro Sports Commission, Councilmember Phillips requested specific information related to the Commission's market plan, annual budget, and contributions by other organizations, etc. Councilmember Perkins also questioned the amount of money held in reserve by the Commission.

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The Mayor advised Town Hall Day scheduled for June 21 in Raleigh provided an opportunity for Council to meet and discuss issues of interest with the members of the General Assembly.

For Council's information, the Mayor advised he had reappointed Yolanda Leacraft to serve another term on the Greensboro Housing Authority.

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Members of Council spoke to attendance at various meetings and community events.

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The City Manager spoke briefly to a presentation by the Millenium Steering Committee on the proposed Millenium Downtown Centerpiece and a review of potential capital projects for the November 2000 Bond Referendum scheduled for the June 27 City Council Briefing.

After Councilmember Perkins requested that Council receive as much information as possible about the proposed Millenium project, the City Manager advised that the City was not handling this process but would provide information when it was received.

In response to Council inquiries, the Manager stated that July 18, 2000 was the final date Council could determine the maximum amount and bond categories for November. He added that these amounts could be lowered, but not increased, after that meeting.

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The City Manager Kitchen also advised that he had appointed Jeri Convington as the Environmental Services Director.

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Councilmember Vaughan moved that the City Council adjourn to meet in closed session to receive advice with reference to the case of Julie A. Perritt v. City of Greensboro, Guilford County Superior Court. The motion was seconded by Councilmember Perkins and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 9:55 P.M.

KEITH A. HOLLIDAY
MAYOR

JUANITA F. COOPER
CITY CLERK